

STATE AGENCIES:

Are You in Compliance with the Language Access Law?

The State of Hawaii protects the rights of people who seek to access state-funded services but who have limited English proficiency (LEP) to speak, read, write or understand English. The Language Access Law requires the State to take reasonable steps to provide LEP persons with meaningful access to their services, programs and activities. The State complies with its obligations under the law if it provides the same level of service to LEP persons as it provides to English speakers.

☒ Establish a Language Access Plan with all requirements

In order to be prepared to provide meaningful access, the law requires state agencies to establish a language access plan, which should include the following: (1) Guidelines for determining meaningful access; (2) Procedures & a plan for oral interpretation; (3) Procedures & a plan for written translation of vital documents; (4) Procedures & a plan for notice for oral interpretation of documents; (5) A data collection & reporting system; (6) An evaluation process; (7) Training for staff; (8) Designation of a language access coordinator or contact; and (9) Hiring of qualified bilingual personnel.

☒ Implement the Language Access Plan

In order to actually provide meaningful access to services, programs and activities by LEP persons, you must implement your language access plan.

☒ Designate a Language Access Coordinator

A language access coordinator is required by law and must establish and implement the state agency's language access plan.

☒ Provide Oral Interpretation language services Free of Cost in a Competent and Timely Manner

You must provide interpretation services, such as a qualified interpreter to assist the LEP person in person, or a professional telephone interpreter service, if reasonable.

☒ Provide Written Translation of Vital Documents Free of Cost

You must provide various translated material, such as applications, notices, complaint forms, and outreach materials available in the non-English language of the population you largely serve, if reasonable. Compliance requires an active approach, rather than waiting for an LEP person to request for translation of documents.

☒ Hire qualified bilingual personnel for existing, budgeted, vacant, public contact positions

To facilitate the provision of language access with the use of state employees, state agencies must endeavor to develop bilingual resources by hiring qualified bilingual personnel to provide the same level of service to LEP persons as is provided to English speakers.

☒ Legislature Only: Provide oral language services for public meetings or public hearings

In order to allow the public to participate in and provide input on proposed legislation, the law requires the legislature, if reasonable, to provide oral language services for public meetings or hearings.

For more information or for assistance, please contact:

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